

Remarks

I would like to thank Examiner Pezzuto for the telephone interview held on November 4, 2004 regarding the above-identified patent application.

Takeshita Does Not Anticipate the Rejected Claims

As I discussed with Examiner Pezzuto during our telephone interview, the generally circular cross-section of the impeller housing shown in Fig. 5 of Takeshita joins to either side of the snow discharge pipe like the prior art snowthrower shown in Fig. 9 of the above-identified patent application. There is no gap in Fig. 5 of Takeshita akin to the claimed gap in claims 1 and 14, namely gap g as shown in Fig. 8 of the above-identified patent application. The second edge of the circular cross-section in Takeshita is NOT displaced as set forth in claim 17 from the lower edge of the second side wall of the snow discharge pipe, but in fact connects to the lower edge of the second side wall.

The cross-section of the impeller housing shown in Fig. 4 of Takeshita is just as deficient, if not more so, than the cross-section shown in Fig. 5 of Takeshita in reading on claims 1, 14 and 17. There is certainly nothing in Fig. 4 of Takeshita that shows the claimed gap or displaced second edge of a circular cross-section. What appears as open space at the top of the impeller housing in Fig. 4 of Takeshita is periodically filled by the curved blade tips of the impeller shown in Fig. 8 of Takeshita. Fig. 4 simply shows the blower rotated in the housing so that the curved blade tip is not presently positioned within the open space at the top of the impeller housing.

Examiner Pezzuto admitted that he had misread Takeshita, and that claims 1-17 appeared to define over Takeshita.

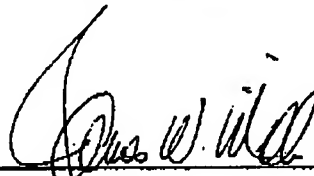
New Claims 18-23

New claims 18-22 were faxed to the Examiner in advance of the interview except that the word "blade" has been used in claim 18 herein as a substitute for the word "vane" in the copy of claim 18 faxed to the Examiner. The Examiner indicated that he had no problem in allowing claims 18-22 over the prior art of record. An additional dependent claim 23 has been added in this Amendment which was not discussed at the interview. Neither the word change in claim 18, i.e. the use of "blade" instead of "vane", nor the presence of claim 23 have any negative effect on the Examiner's indicated allowability of claims 18-22.

Summary

All of the claims currently pending in this application are allowable. It is respectfully requested that this application be allowed and sent to issue.

Respectfully presented,



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Request for Extension of Time

Pursuant to 37 C.F.R. §1.136(a), it is requested that the time for responding to the Office Action of June 8, 2004, now set to expire on September 8, 2004, be extended for two (2) months, to expire on November 8, 2004.

Authorization to Charge Deposit Account

Please charge the \$430 fee for the requested extension of time, any fees for adding new or additional claims beyond the number of claims previously paid for, or any additional fees of any type that may be required, or credit any overpayment, to Deposit Account No. 20-1315 of The Toro Company. A duplicate copy of this sheet is enclosed.